

16152 U.S. PTO
07/09/03

17302 U.S. PRO
10/617090
07/09/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : MICHAEL CARLEY et al.
Title : CLOSURE DEVICE AND METHODS FOR MAKING AND
USING THEM

Docket No. : 701879.4005

MAIL STOP PATENT APPLICATION – DIVISION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

UTILITY PATENT APPLICATION TRANSMITTAL

1. Type of Application

This new application is for a(n)

- Original (non provisional)
 Design
 Plant

2. X Applicant claims small entity status. See 37 CFR 1.27

3. X Specification, including Description, Claims and Abstract (Total Pages: 44)

4. X Formal Drawing(s) (35 USC 113) (Total sheets 8)

5. Oath or Declaration

- a. Newly executed (original or copy)
b. X Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed and enclosed)
i. Deletion of Inventors (Signed statement attached deleting inventors(s) named in the prior application.) See 37 CFR 1.63(d)(2) and 133 (b).

6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if application, all necessary)

- a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. Paper

CERTIFICATE OF MAILING
37 CFR §1.10

Date: July 9, 2003

Express Mailing Label No.: EV 342472888 US

I hereby certify that on the dated listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service in accordance with 37 C.F.R. § 1.10 as "Express Mail Post Office to Addressee," with sufficient postage, envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Lynne Fulmer

LYNNE FULMER

DOCSOC1:139711.1

701879-4005 J2G

Applicant : MICHAEL CARLEY et al.
Docket No. : 701879.4005

- c. Statement verifying identity of above copies
9. An assignment of the invention to _____
 is attached. A separate "COVERSHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or FORM PTO 1595 is also attached.
 will follow.
10. 37 CFR 3.73(b) Statement (when there is an assignee) (Power of Attorney by Assignee)
11. English Translation Document (if applicable)
12. X Information Disclosure Statement/PTO 1449 (or PTO/SB/08a)
 Copies of citations
13. Preliminary Amendment
14. X Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claims)
16. Non-publication Request under 35 USC 122 (b)(2)(B)(i) (Applicant must attach form PTO/SB/35 or its equivalent)
17. Other
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation X Divisional Continuation-in-part

This application is a division of Application Serial No. 10/081,726 filed February 21, 2002, which application is a continuation-in-part of Application No. 09/732,178, filed December 7, 2000, for "Closure Device and Methods for Making and Using Them," the disclosure of which is expressly incorporated by reference herein.

Prior application information:

Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Applicant : MICHAEL CARLEY et al.
Docket No. : 701879.4005

19. Fee Calculation: TOTAL AMOUNT OF PAYMENT: \$ _____

- A. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 15-0665.
 Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 15-0665.
B. Payment Enclosed
 Check Credit Card Money Order Other

BASIC FILING FEE:						\$750.00
Total Claims	4	-	20	=	1	x \$18.00 \$ 4.00
Independent Claims	1	-	3	=	1	x \$84.00 \$00.00
Multiple Dependent Claims	\$280	(if applicable)				\$ 0.00
TOTAL OF ABOVE CALCULATIONS						\$750.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.						\$375.00
<input checked="" type="checkbox"/> Assignment -- \$40 (if applicable)						\$0.00
TOTAL FEES SUBMITTED						\$375.00

20. Correspondence Address

Customer Number. 34313

Respectfully submitted,



James W. Geriak, Registration No. 20,223

ORRICK, HERRINGTON & SUTCLIFFE LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Telephone: (949) 567-6700
Facsimile: (949) 567-6710